

**BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO**

<b>IN THE MATTER OF CHARGES FILED AGAINST</b>	)	
<b>POLICE OFFICER MICHAEL J. CHIOCCA,</b>	)	<b>CASE #02-2507</b>
<b>STAR # 13013, DEPARTMENT OF POLICE,</b>	)	
<b>CITY OF CHICAGO,</b>	)	<b>CR # 265096</b>
	)	
<b>RESPONDENT.</b>	)	

**FINDINGS AND DECISION**

On December 2, 2002, the Superintendent of Police filed charges with the Police Board of the City of Chicago, seeking the termination of Police Officer **MICHAEL J. CHIOCCA**, Star # 13013, hereinafter sometimes referred to as "Respondent" for violation of the following rules:

**RULE 2:** "Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department."

**RULE 6:** "Disobedience or an order or directive, whether written or oral."

The Police Board of the City of Chicago caused a hearing on these charges against Police Officer **MICHAEL J. CHIOCCA**, Star # 13013, to be heard by **JACQUELINE A. WALKER**, Hearing Officer of the Police Board of the City of Chicago, on March 27, 2003, April 17, 2003 and May 2, 2003. Following the Hearing, the members of the Police Board read and reviewed the certified transcription of the proceedings of the hearing and viewed the videotapes of the proceedings. **JACQUELINE A. WALKER**, Hearing Officer made an oral report and conferred with the Police Board before it rendered a decision.

**FINDINGS & DECISION, CONT'D.**

**POLICE OFFICER MICHAEL J. CHIOCCA, STAR #13013, C. R. #265096**

**PAGE 2**

As a result of the foregoing, the Police Board of the City of Chicago finds and determines that:

(1) The Respondent was, at all times mentioned herein, a Police Officer employed by the Department of Police of the City of Chicago;

(2) The charges were filed, in writing, and a Notice, stating the time, date and place, when and where a hearing on the charges was to be held, together with a copy of the original charges were served upon the Respondent more than five (5) days prior to the hearing on the charges;

(3) Throughout the hearing, the Respondent appeared in person and was represented by legal counsel;

(4) Respondent, Police Officer, **MICHAEL J. CHIOCCA**, Star #13013, as charged herein, is guilty of violating, to-wit:

**RULE 2:**      “Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department,” in the following instances:

(A) On or about August 18, 2002, through August 20, 2002, on one or more occasions, during the 3<sup>rd</sup> watch, he forwarded inappropriate messages that included racial slurs, sexual innuendos, and/or profanity.

(B) On or about August 18, 2002, through August 20, 2002, during the 3<sup>rd</sup> watch, he failed to enter his log-on identification number via the Mobile Portable Data Terminal to gain access to the Police Computer Aided Dispatch System, and instead used another officer’s log-on

**FINDINGS & DECISION, CONT'D.**

**POLICE OFFICER MICHAEL J. CHIOCCA, STAR #13013, C. R. #265096**

**PAGE 3**

identification to send inappropriate messages that included racial slurs, sexual innuendos and/or profanity.

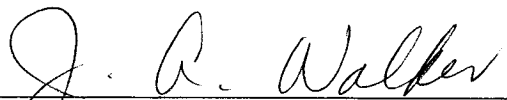
(5) The Respondent, Police Officer **MICHAEL J. CHIOCCA**, Star #13013, as charged herein, is guilty of violating, to-wit:

**RULE 6:** "Disobedience or an order or directive, whether written or oral," in the following instances:

(A) On or about August 18, 2000, through August 20, 2000, on one or more occasions, during the 3<sup>rd</sup> watch, he forwarded inappropriate messages that included racial slurs, sexual innuendos and/or profanity, thereby violating General Order 97-6-II.

(B) On or about August 18, 2000 through August 20, 2000, during the 3<sup>rd</sup> watch, he failed to enter his log-on identification number via the Mobile Portable Data Terminal to gain access to the Police Computer Aided Dispatch System, thereby violating General Order 97-6-9.

**BY REASON** of the findings of fact and of guilt herein, cause exists for the suspension of Respondent, Police Officer **MICHAEL J. CHIOCCA**, Star # 10313, from the Department of Police and from the services of the City of Chicago from December 4, 2002 to, up to and including, December 3, 2003.

  
\_\_\_\_\_  
JACQUELINE A. WALKER  
Hearing Officer

**FINDINGS & DECISION, CONT'D:**

**POLICE OFFICER MICHAEL J. CHIOCCA, STAR # 13013, C.R. #265096**

**PAGE 4**

**DECISION**

The members of the Police Board, having read and reviewed the certified copy of the transcription of the hearing, having viewed the videotapes of the hearing, having received the oral report of the Hearing Officer, **JACQUELINE A. WALKER**, and having conferred with the Hearing Officer on the credibility of the witnesses and the evidence, hereby adopt all findings herein, and, in reaching its decision as to the penalty imposed, the Board has taken into account not only the facts of this case but also the respondent's complimentary and disciplinary history, which is attached hereto as Exhibit A; and,

IT IS HEREBY ORDERED that the respondent, Police Officer **MICHAEL J. CHIOCCA**, Star # 13013, as a result of having been found guilty of the charges in Police Board Case No. 02-2507, is hereby suspended from his position as a Police Officer, and from the services of the City of Chicago, from December 4, 2002, to and including **December 3, 2003**.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 5<sup>th</sup> DAY OF JUNE, 2003.

Scott J. Davis  
Josephine  
Walter Lopez  
William J. F. L.  
Patricia Bold  
Phyllis Engelbaum

Paul A.  
Executive Director, Police Board

**FINDINGS & DECISION, CONT'D:**

**POLICE OFFICER MICHAEL J. CHIOCCA, STAR # 13013, C.R. #265096**

**PAGE 5**

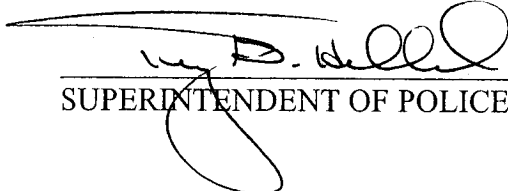
**DISSENT**

The following members of the Police Board hereby dissent from the decision of the majority of the Board.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RECEIVED A COPY OF THIS COMMUNICATION

THIS 17<sup>th</sup> DAY OF June, 2003

  
\_\_\_\_\_  
SUPERINTENDENT OF POLICE

INTERNAL AFFAIRS DIVISION  
RECORDS SECTION

11 September 2000

TO:

COMMANDING OFFICER OF UNIT GIS

FROM:

RECORDS SECTION  
INTERNAL AFFAIRS DIVISION

SUBJECT:

PREVIOUS DISCIPLINARY RECORD OF:

CHIOCCA MICHAEL 13013 006  
NAME (LAST, FIRST, M.I.) STAR UNIT  
M [REDACTED]  
SEX RACE S.S.N.  
265 096

REFERENCE:

COMPLAINT REGISTER NUMBER(S)

THE PREVIOUS DISCIPLINARY RECORD OF THE SUBJECT ACCUSED HAS BEEN REQUESTED IN YOUR NAME BY:

SGT. CALLOWAY K 1055 [REDACTED] 121  
RANK NAME STAR S.S.N. UNIT

RELATIVE TO A SUSTAINED FINDING IN THE INVESTIGATION OF THE ABOVE REFERENCED COMPLAINT REGISTER NUMBER.

THE RECORDS SECTION, INTERNAL AFFAIRS DIVISION, DISCLOSES THE FOLLOWING DISCIPLINARY ACTION(S) ADMINISTERED TO THE SUBJECT ACCUSED, FOR THE PAST FIVE (5) YEARS.

VERIFIED/PREPARED BY:

NONE

D.E.O. PATRICIA JOHNSON

FOR: COMMANDING OFFICER  
RECORDS SECTION  
INTERNAL AFFAIRS DIVISION

CR # 265096

ATTACHMENT # 57

PAGE 1

OF 2

Ex. A

CHICAGO POLICE DEPARTMENT

COMPLIMENTARY HISTORY

DATE 11 Sept 2000

NAME Michael Chiocca RANK PO SSN [REDACTED] STAR 13013 UNIT 006

SPECIAL AWARDS 000

DEPARTMENT COMMENDATIONS: 001

HONORABLE MENTIONS: 013

COMPLIMENTARY LETTERS: 000

Complimentary History Requested By:

NAME Janice MC Arthur RANK PO STAR 6457 UNIT 121

C.R.# 265096

Completed By: Demetra Berry  
Personnel Division  
Records Section-2089-2092  
Pax 0-342 or Bell 5-5390

PERSONNEL SERVICES

SEP 11 2000

CHICAGO POLICE DEPARTMENT

C.R.# 265096

ATTACHMENT # 57

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST	)	
POLICE OFFICER ROBERT R. VALLEYFIELD,	)	CASE #02-2506
STAR # 13012, DEPARTMENT OF POLICE,	)	
CITY OF CHICAGO,	)	CR # 265096
	)	
RESPONDENT.	)	

FINDINGS AND DECISION

On December 2, 2002, the Superintendent of Police filed charges with the Police Board of the City of Chicago, seeking the termination of Police Officer **ROBERT R. VALLEYFIELD**, Star # 13012, hereinafter sometimes referred to as "Respondent" for violation of the following rules:

**RULE 2:** "Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department."

**RULE 6:** "Disobedience or an order or directive, whether written or oral."

The Police Board of the City of Chicago caused a hearing on these charges against Police Officer **ROBERT R. VALLEYFIELD**, Star # 13012, to be heard by **JACQUELINE A. WALKER**, Hearing Officer of the Police Board of the City of Chicago, on March 27, 2003, April 17, 2003, and May 2, 2003. Following the Hearing, the members of the Police Board read and reviewed the certified transcription of the proceedings of the hearing and viewed the videotapes of the hearing. **JACQUELINE A. WALKER**, Hearing Officer made an oral report and conferred with the Police Board before it rendered a decision.



**FINDINGS & DECISION, CONT'D**  
**POLICE OFFICER ROBERT R. VALLEYFIELD, STAR #13012**  
**PAGE 2**

As a result of the foregoing, the Police Board of the City of Chicago finds and determines that:

- (1) The Respondent was, at all times mentioned herein, a Police Officer employed by the Department of Police of the City of Chicago;
- (2) The charges were filed, in writing, and a Notice, stating the time, date and place, when and where a hearing on the charges was to be held, together with a copy of the original charges were served upon the Respondent more than five (5) days prior to the hearing on the charges;
- (3) Throughout the hearing, the Respondent appeared in person and was represented by legal counsel;
- (4) Respondent, Police Officer, **ROBERT R. VALLEYFIELD**, Star #13012, as charged herein, is guilty of violating, to-wit:

**RULE 2:**      “Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department,” in the following instances:

- (A) On or about August 18, 2000, through August 20, 2000, on one or more occasions, during the 3<sup>rd</sup> watch, he forwarded inappropriate messages that included racial slurs, sexual innuendos, and/or profanity.
- (B) On or about August 18, 2000, through August 20, 2000, during the 3<sup>rd</sup> watch, he failed to enter his log-on identification number via the Mobile Portable Data Terminal to gain access to the Police Computer Aided Dispatch System, and instead used another officer’s log-on

**FINDINGS & DECISION, CONT'D**  
**POLICE OFFICER ROBERT R. VALLEYFIELD, STAR #13012**  
**PAGE 3**

identification to send inappropriate messages that included racial slurs, sexual innuendos and/or profanity.

(5) The Respondent, Police Officer **ROBERT R. VALLEYFIELD**, Star # 13012, as charged herein, is guilty of violating, to-wit:

**RULE 6:** "Disobedience or an order or directive, whether written or oral," in the following instances:

(A) On or about August 18, 2000, through August 20, 2000, on one or more occasions, during the 3<sup>rd</sup> watch, he forwarded inappropriate messages that included racial slurs, sexual innuendos and/or profanity, thereby violating General Order 97-6-II.

(B) On or about August 18, 2000, through August 20, 2000, during the 3<sup>rd</sup> watch, he failed to enter his log-on identification number via the Mobile Portable Data Terminal to gain access to the Police Computer Aided Dispatch System, thereby violating General Order 97-6-9.

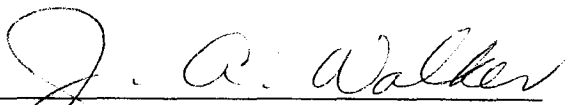
**BY REASON** of the findings of fact and of guilt herein, cause exists for the separation of Respondent, Police Officer **ROBERT R. VALLEYFIELD**, Star # 13012, from the Department of Police and from the services of the City of Chicago.

It is noted that at the time of the hearing on these charges, the parties agreed to the accuracy of the Respondent's past complimentary and disciplinary record prior to its submission at the hearing. That record indicates that although the Respondent has had one Department commendation and twenty-seven Honorable Mentions during his entire career, his past disciplinary record shows no fewer than eight (8) prior sustained infractions. It is this past disciplinary record that caused the Police Board to impose a

**FINDINGS & DECISION, CONT'D**  
**POLICE OFFICER ROBERT R. VALLEYFIELD, STAR #13012**  
**PAGE 4**

penalty of discharge in this case. A copy of this record is attached and marked Exhibit

"A".

  
\_\_\_\_\_  
JACQUELINE A. WALKER  
Hearing Officer

**FINDINGS & DECISION, CONT'D:**

**POLICE OFFICER ROBERT S. VALLEYFIELD, STAR # 13012, C.R. #265096**

**PAGE 5**

**DECISION**

The members of the Police Board, having read and reviewed the certified copy of the transcription of the hearing, having viewed the videotapes of the hearing, having received the oral report of the Hearing Officer, **JACQUELINE A. WALKER**, and having conferred with the Hearing Officer on the credibility of the witnesses and the evidence, hereby adopt all findings herein, and, in reaching its decision as to the penalty imposed, the Board has taken into account not only the facts of this case but also the respondent's complimentary and disciplinary history, which is attached hereto as Exhibit A; and,

IT IS HEREBY ORDERED that the respondent, Police Officer **ROBERT S. VALLEYFIELD**, Star # 13012, as a result of having been found guilty of the charges in Police Board Case No. 02-2506, is hereby separated and discharged from his position as a Police Officer, and from the services of the City of Chicago.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 5<sup>th</sup> DAY  
OF June, 2003.

Scott J. Davis  
John J. Smith  
Vicki S. Seng  
William G. Seng  
Patricia B. Bole  
Phyllis J. Polkman

Michael Lee  
Executive Director, Police Board

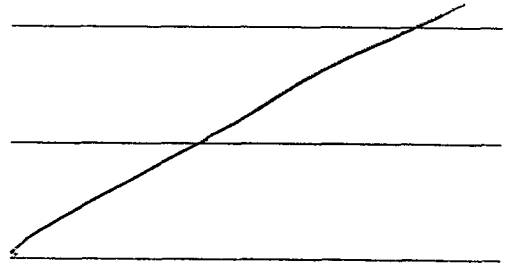
**FINDINGS & DECISION, CONT'D:**

**POLICE OFFICER ROBERT S. VALLEYFIELD, STAR # 13012, C.R. #265096**

**PAGE 6**

**DISSENT**

The following members of the Police Board hereby dissent from the decision of the majority of the Board.



RECEIVED A COPY OF THIS COMMUNICATION

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2003

\_\_\_\_\_  
SUPERINTENDENT OF POLICE

INTERNAL AFFAIRS DIVISION  
RECORDS SECTION

11 September 2000

TO:

COMMANDING OFFICER OF UNIT GIS

FROM:

RECORDS SECTION  
INTERNAL AFFAIRS DIVISION

SUBJECT:

PREVIOUS DISCIPLINARY RECORD OF:

VALLEYFIELD ROBERT 13012 006

NAME (LAST, FIRST, M.I.) STAR UNIT

M

SEX RACE S.S.N. 26B 096

REFERENCE:

COMPLAINT REGISTER NUMBER(S)

THE PREVIOUS DISCIPLINARY RECORD OF THE SUBJECT ACCUSED HAS BEEN REQUESTED IN YOUR NAME BY:

SGT. CALLOWAY K 1055 121

RANK NAME STAR S.S.N. UNIT

RELATIVE TO A SUSTAINED FINDING IN THE INVESTIGATION OF THE ABOVE REFERENCED COMPLAINT REGISTER NUMBER.

THE RECORDS SECTION, INTERNAL AFFAIRS DIVISION, DISCLOSES THE FOLLOWING DISCIPLINARY ACTION(S) ADMINISTERED TO THE SUBJECT ACCUSED, FOR THE PAST FIVE (5) YEARS.

VERIFIED/PREPARED BY:

SEE

D.E.O. PATRICIA JOHNSON

FOR: COMMANDING OFFICER  
RECORDS SECTION  
INTERNAL AFFAIRS DIVISION

CP# 265096

ATTACHMENT # 56

DATE 1

EX. A

AI72

## PREVIOUS DISCIPLINARY ACTION SUMMARY

FUNCTION

ENTER 'N' IN FUNCTION FOR NEXT PAGE

SSN [REDACTED] NAME: LAST VALLEYFIELD FIRST ROBERT MI R STAR 13012

UNIT 006 EMP NO 302415 SEX M RACE X DOB 06 JUN 66 DATE APPTD 16 DEC 91

NK 9161 POLICE OFFICER

CASE NO	INCIDENT DATE	DISCIPLINARY ACTION TAKEN	DATES SUSPENDED OR WORKED		OPTN/T GRNT'
			(FROM	- TO)	

S994694 16 NOV 99 REPRIMAND

F/CAT:

LESS SER TRAN: FAILURE TO PERFORM ASSIGNED TASKS

COMMENTS FAILURE TO PERFORM ASSIGNED TASK

STATUS CLO

C222163 29 OCT 95 2 DAY SUSPENSION

11 JAN 99 - 12 JAN 99 ;

F/CAT: OPERATION/PERSONNEL VIOLATION: REPORTS - FAIL TO SUBMIT/IMPROPER

LESS SER TRAN:

COMMENTS

STATUS CLO

C231565 18 OCT 96 1 DAY SUSPENSION

16 MAY 98 - 16 MAY 98 ;

F/CAT: OPERATION/PERSONNEL VIOLATION: MISCELLANEOUS

LESS SER TRAN:

COMMENTS

STATUS CLO

ISSUED FOR USE IN CR #265096 ONLY

CR# 265096

ATTACHED 56

AI72

## PREVIOUS DISCIPLINARY ACTION SUMMARY

FUNCTION

ENTER 'N' IN FUNCTION FOR NEXT PAGE

SSN [REDACTED] NAME: LAST VALLEYFIELD FIRST ROBERT MI R STAR 13012  
UNIT 006 EMP NO 302415 SEX M RACE X DOB 06 JUN 66 DATE APPTD 16 DEC 91  
NK 9161 POLICE OFFICER

CASE NO	INCIDENT DATE	DISCIPLINARY ACTION TAKEN	DATES SUSPENDED OR WORKED		OPTN/T GRNT'
			(FROM	- TO)	

C232884 15 DEC 96 2 DAY SUSPENSION 02 OCT 98 - 03 OCT 98 ;  
F/CAT: EXCESSIVE FORCE: WEAPON, USE OF  
LESS SER TRAN:  
COMMENTS GRIEVANC # 004 98 012 372 REDUCE 002

STATUS CLO

C233610 11 JAN 97 1 DAY SUSPENSION 04 DEC 97 - 04 DEC 97 ;  
F/CAT: PREVENTABLE TRAFFIC ACCIDENT  
LESS SER TRAN:  
COMMENTS

STATUS CLO

C233398 05 JAN 97 2 DAY SUSPENSION 04 NOV 98 - 05 NOV 98 ;  
F/CAT: CIVIL RIGHTS VIOLATION: SEARCH OF PREMISE/VEHICLE W/O WARRANT  
LESS SER TRAN:  
COMMENTS 3 DAYS REDUCED TO 2 DAYS GRIEVANCE 004-98-012/408

STATUS CLO

ISSUED  
FOR USE IN GR # 265096  
ONLY

265096

56



AI72 PREVIOUS DISCIPLINARY ACTION SUMMARY FUNCTION  
NO MORE CLOSED - SUSTAINED CR'S (PAST 5 YEARS) OR SP'S (PAST 1 YEAR)  
SSN [REDACTED] NAME: LAST VALLEYFIELD FIRST ROBERT MI R STAR 13012  
UNIT 006 EMP NO 302415 SEX M RACE X DOB 06 JUN 66 DATE APPTD 16 DEC 91  
NK 9161 POLICE OFFICER

CASE NO	INCIDENT DATE	DISCIPLINARY ACTION TAKEN	DATES SUSPENDED OR WORKED (FROM - TO)	OPTN/T GRNT'
---------	---------------	---------------------------	---------------------------------------	--------------

C240354	26 SEP 97	10 DAY SUSPENSION	16 JUL 99 - 25 JUL 99 ;	
	F/CAT: EXCESSIVE FORCE: TRAFFIC			
	LESS SER TRAN:			
	COMMENTS			STATUS CLO

C249915	07 NOV 98	5 DAY SUSPENSION	16 MAR 00 - 20 MAR 00 ;	
	F/CAT: OPERATION/PERSONNEL VIOLATION: INADEQUATE/FAIL TO PROVIDE SERVICE			
	LESS SER TRAN:			
	COMMENTS			STATUS CLO

		F/CAT:		
		LESS SER TRAN:		
		COMMENTS		STATUS

ISSUED FOR USE IN CR # 265096 ONLY

OFF 265096  
56

CHICAGO POLICE DEPARTMENT

COMPLIMENTARY HISTORY

DATE 11 Sept 2000

NAME Robert Valleyfield RANK PO SSN [REDACTED] STAR 13012 UNIT 006

SPECIAL AWARDS 000

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

001

DEPARTMENT \_\_\_\_\_

COMMENDATIONS: \_\_\_\_\_

HONORABLE \_\_\_\_\_

MENTIONS: 027

COMPLIMENTARY \_\_\_\_\_

LETTERS: 000

Complimentary History Requested By:

NAME Janice MC Arthur RANK PO STAR 6457 UNIT 121

C.R.# 265096

Completed By: Demetra Berry  
Personnel Division  
Records Section-2089-2092  
Pax 0-342 or Bell 5-5390

PERSONNEL SERVICES

SEP 11 2000

CHICAGO POLICE DEPARTMENT  
CR# 265096

ATTACHMENT # 56